

FILED

AUG - 3 2005

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

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10 Intel Corporation

11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA
13 SAN FRANCISCO DIVISION

14 LAZIO FAMILY PRODUCTS, a sole
15 proprietorship located in Eureka, California, on
16 behalf of itself and all others similarly situated
17 Plaintiff,
18 v.
19 INTEL CORPORATION, a Delaware
20 corporation,
21 Defendant.

No. C-05-2859-MHP

STIPULATION AND [PROPOSED]
ORDER TO CONTINUE FILING DATE
FOR DEFENDANT'S RESPONSE TO
PLAINTIFF'S COMPLAINT

22 IT IS STIPULATED BY AND BETWEEN THE PARTIES, THROUGH THEIR
23 COUNSEL AS FOLLOWS:

24 Pursuant to Civil Local Rule 6-2, Plaintiff Lazio Family Products and Defendant
25 Intel Corporation hereby stipulate that Intel Corporation's response to Plaintiff's complaint shall
26 be due either 60 days after transfer of the above captioned case pursuant to any motion to
coordinate or consolidate pre-trial proceedings per 28 U.S.C. Section 1407 or, in the alternative,
45 days after any such motion has been denied. The parties request this extension of time to
answer or otherwise respond because the plaintiffs in *Brauch, et al. v. Intel Corp.*, No. C 05-2743

STIPULATION AND [PROPOSED] ORDER TO CONTINUE RESPONSE DATE

1 (BZ) (N.D. Cal., filed July 5, 2005), a related matter, have filed a petition to coordinate or
2 consolidate pre-trial proceedings per 28 U.S.C. Section 1407, and the above-styled action has
3 been identified as a related action to that petition. As a result the outcome of the pending
4 petition will impact significantly the schedule of this case.

5 This is the first stipulation between the parties. Because this litigation has just
6 begun, granting such a stipulation will not have any negative impact on the schedule of this case.

7 IT IS HEREBY STIPULATED.
8 DATED: July ____, 2005

9 Bingham McCutchen LLP

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By: _____
JOY K. FUYUNO
Attorneys for Defendant
Intel Corporation

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14 DATED: July ____, 2005

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The Furth Firm LLP

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By: _____
ALEX C. TURAN
Attorneys for Plaintiff
Lazio Family Products

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[PROPOSED] ORDER TO CONTINUE DEFENDANT'S RESPONSE DATE

IT IS HEREBY ORDERED that Defendant Intel Corporation's response to Plaintiff's complaint shall be due either 60 days after transfer of the above captioned case pursuant to any motion to coordinate or consolidate pre-trial proceedings per 28 U.S.C. Section 1407, or, in the alternative, 45 days after any such motion has been denied.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: 8/2, 2005


Honorable Marilyn Hall Patel
United States District Judge